

**ZONING BYLAW No. 19/89
OF THE
RESORT VILLAGE OF AQUADEO**

Being Exhibit "B" to Bylaw No. 18/89
Of the Resort Village of Aquadeo

Consolidated version including the following Amendments
(including Zoning District Map Amendments):

Bylaw No. 20/91
Bylaw No. 48/99
Bylaw No. 11/07
Bylaw No. 14/07
Bylaw No. 17/08
Bylaw No. 22/09
Bylaw No. 04/10
Bylaw No. 01/12
Bylaw No. 02/12
Bylaw No. 03/12
Bylaw No. 04/15
Bylaw No. 03/16
Bylaw No. 05/2018
Bylaw No. 08/2018
Bylaw No. 01/2021
Bylaw No. 03/2021
Bylaw No. 04/2021
Bylaw No. 02-2022
Bylaw No. 05-2022

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original bylaws should be consulted for all purposes of interpretation and application of the law.

DATE: March 20, 2023

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SECTION 1 – INTRODUCTION

Under the Authority of the Planning and Development Act, 2007, and in conjunction with Bylaw No. 18/89, the Basic Planning Statement, the Resort Village of Aquadeo in the Province of Saskatchewan in open meeting hereby enacts as follows:

Bylaw No. 05/2018

- 1.1 **Title** – This bylaw shall be known and may be cited as the Zoning Bylaw of the Resort Village of Aquadeo.
- 1.2 **Scope** – Development shall be permitted within the limits of the Resort Village of Aquadeo when it is in conformity with the provisions of this bylaw.
- 1.3 **Severability** – If any section, clause or provision of this Bylaw, including anything shown on the Zoning District Map is, for any reason, declared by a court of competent jurisdiction of be invalid, the same shall not affect the validity of the Bylaw as a whole or any part thereof, other than the section, clause or provision, including anything on the Zoning Map, so declared to be invalid.

SECTION 2 – INTERPRETATION

The numbering scheme for SECTION 2 – INTERPRETATION was deleted by Bylaw No. 08/2018

Accessory Sleeping Accommodations – Accessory sleeping accommodations pursuant to a principal residential use located within a garage at grade level or within a second-storey loft located therein, but shall not include a kitchen; is not synonymous with a bunkhouse.

Bylaw No. 05-2022

Accessory Use – A use which is incidental and subordinate to, and is customarily associated with the principal use or building, and is located on the same lot with the principal use or building.

Act – The Planning and Development Act, 2007.

Bylaw No. 05/2018

Administrator – The Clerk of the Resort Village of Aquadeo.

Breezeway Corridor – A roof structure physically connecting two buildings such as dwelling and an accessory private garage or other similar structure. Where a breezeway connecting the two structures is walled or screened in, and placed on a permanent foundation, it may serve as an enclosed corridor.

Bylaw No. 04/2021

Building – A structure constructed or placed on, in or over land, but not including a highway.

Building, Accessory – A subordinate detached building appurtenant to a principal building or principal use and located on the same lot.

Building, Principal – The building in which is conducted the main or primary use of the lot on which said building is situated.

Building (Structural) Footprint – the area contained within or under the outer limits of a structural wall, foundation, or other structural supporting elements, of a building or structure, but does not include the area below eaves or other extended roof elements.

Bylaw No. 05-2022

Bunkhouse – A building offering basic sleeping accommodations for residents and guests, and which is considered and accessory to a principal residential use. A bunkhouse can contain basic plumbing and electrical services, is subject to any requirement of the National Building Code, but cannot contain a kitchen or facilities for the preparation and cooking of food.

Bylaw No. 03/2021

Construction trades – Offices, shops and warehouses, with or without associated retail sales, of plumbing, heating, electrical, carpentry, masonry, and other trades associated with the construction of buildings.

Council – The Council of the Resort Village of Aquadeo.

Deck – A raised open platform, with or without rails, attached to a principal building.

Development – The carrying out of any building, engineering, mining, or other operations in, on or over land, or the making of any material change in the use or intensity of use of any building or land.

Development Permit – A document authorizing a development issued pursuant to this bylaw.

Discretionary Use – A use or form of development specified in the zoning district which may be allowed at Council’s discretion following application to, and approval by the Council, and subject to specific development standards provided in this bylaw and prescribed by Council.

Dwelling, Single-Detached – a detached building consisting of one dwelling unit. Without limiting the specificity of the individual definitions which supersede, it may include: a dwelling constructed on site, a modular home, a RTM, or Move-In Residence; but shall not include a Mobile Home, Park Model Home or RV, or a Recreational Vehicle.

Bylaw No. 02-2022

Dwelling Unit – One or more habitable rooms constituting a self-contained unit used as a residence, each unit having provision for sleeping, cooking and toilet facilities.

Fence – An artificially constructed barrier erected to enclose or screen areas of land.

Floor Area – The maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling: any private garage, porch, verandah, sunroom, unfinished attic, unfinished basement, utility room, and laundry room.

Frontage – The side of a lot abutting the street; however, in the case of a corner lot the shorter of the sides shall be the frontage.

Garage, Private – A building or part of a building used or intended to be used for the storage of motor vehicles for the dwelling unit to which the garage is accessory.

Hazard Land – means land that is contaminated, unstable, prone to flooding or other unsuited for development or occupation because of its inherent danger to public health, safety or property.

Bylaw No. 08/2018

Home Occupation – An occupation, trade, profession or craft customarily practiced from a residence, and conducted entirely within a dwelling or accessory building to a dwelling and entirely by the inhabitants thereof, which use is clearly incidental and secondary to the residential use of the dwelling and does not change the exterior character of the residential building or lot.

Kitchen - Any room or area in which food is cooked or prepared and which contains facilities and equipment used for the storage, preparation or serving of food. The facilities and equipment mentioned above may include such things as kitchen cabinets, kitchen sinks, kitchen stoves, dishwashers, other appliances and associated plumbing and wiring services (specifically 240V).

Bylaw No. 03/2021

Lakefront site – a site or parcel of land which abuts Jackfish Lake or dedicated lands or roadway lying therebetween.

**Bylaw No. 03/2021
Bylaw No. 02-2022**

Lot – An area of land with fixed boundaries that is of record in the Land Titles Office by Certificate of Title.

Lot (Site) Coverage – That portion of a lot or site that is covered by buildings or structures, but does not include the area of any uncovered deck, or shed 9.29 m² (100 ft²) or under.”

Bylaw No. 05-2022

Lot Line, Front – The line that divides the lot from the street. In the case of a corner lot the front lot line shall be the line separating the narrowest street frontage of the lot from the street.

Lot Line, Rear – The line at the rear of the lot and opposite the front lot line.

Lot Line, Side – A lot line other than a front or rear lot line.

Mayor – The Mayor of the Resort Village of Aquadeo.

Mobile Home - shall mean a trailer coach:

- (1) that is used as a dwelling;
- (2) that has water faucets and shower, or other bathing facilities, that may be connected to a water distribution system;
- (3) that is equipped with facilities for washing and water closet, or other similar facility, that may be connected to a sewage system;
- (4) Certified by the manufacturer that it complies with the Canadian Standards Association Code CSA Z240 series standards for mobile homes;
- (5) Where the unit is properly skirted and attached or place on a permanent foundation; and
- (6) Mobile homes are built on a steel or deformation resistant frame which allows them to be placed on foundations such as concrete piers, metal screw piles, or wood cribs.

Bylaw No. 02-2022

Mobile Home Court – A parcel or lot on which is harbored three or more mobile homes or other Recreational Vehicles.

Bylaw No. 02-2022

Modular Home – a factory-built home that is manufactured as a whole or modular unit and is designed to be moved on a removable chassis to be used as one dwelling unit, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard.

Bylaw No. 03/12

Modular Home, Single Wide – a modular home that is less than 5 meters (16.40 ft.) in width.

Bylaw No. 03/12

Modular Home, Double Wide – a modular home that is greater than 8 meters (26.25 ft.) in width.

Bylaw No. 03/12

Move-In (MI) Residential Building - a single detached dwelling and/or private garage accessory thereto constructed off site which is being relocated to a new site in the municipality. A Move-in residential building has been used previously as a residential building.

Bylaw No. 02-2022

Municipality – The Resort Village of Aquadeo.

Non-Conforming Building – A building:

- (1) That is lawfully constructed or lawfully under construction, or in respect to which all required permits have been issued, on the date that this Bylaw or any amendment to the Bylaw affecting the building or land on which the building is stated or will be situated, becomes effective, and,
- (2) That on the date this Bylaw or any amendment hereto becomes effective, does not, or when constructed will not, comply with this Bylaw.

Non-Conforming Use – A lawful specific use:

- (1) Being made of land or a building or intended to be made of a building lawfully under construction, or in respect to which all required permits have been issued, on the date this Bylaw or any amendment hereto affecting the building or land becomes effective, and
- (2) That on the date this Bylaw or any amendment hereto becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued, will not comply with this Bylaw.

Park Model Recreational Vehicle (RV) - a unit designed to be towed by a heavy-duty tow vehicle (auto, van, pick-up truck, etc.) but is of restricted size and weight so that it does not require a special highway movement permit. The maximum width when being towed is 2.6 meters (8.6ft). Designed for infrequent towing, it is not fitted with a 12-volt system for fixtures and appliances. Once on site in the set-up mode it must be connected to the local utilities. This recreational vehicle is built on a single chassis mounted on wheels. It usually has one or more slide-outs, but when in set-up mode the gross trailer area does not exceed 37.2 sq. meters (400 sq. feet). It conforms to the CSA Z-240 Standard for RVs and is similar in form and construction to the following:

Bylaw No. 02-2022



Park Model Home - A dwelling unit, of a cottage style having a pitched roof, designed to facilitate occasional relocation, with living quarters primarily for a seasonal use; has water faucets and shower or other bathing facilities that maybe connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. Maximum length no greater than 14.6 meter (48 feet) and shall not exceed 50.17 square metres (540 sq. ft.) in interior area. Park Model Trailers must meet or exceed CSA – Z241 standards and bear a label of certification from the Canadian Standards Association and is similar in form and construction to the following:.

Bylaw No. 02-2022



Parking Space, Automobile – A space within a building or parking lot for the parking of one (1) automobile.

Permanent Foundation - any concrete pads, pilings made of any material, pony walls or other support structures made of concrete, wood, steel or other metal, placed on or in the ground where a building will be constructed or installed.

Bylaw No. 02-2022

Permitted Use – A use or form of development other than a discretionary use, specifically permitted in the zoning district and subject to the regulations of the zoning district.

Personal Service Shops – Establishments engaged in the providing of care of a person or their apparel, which include barber shops, hairstyle salons, laundries, dry cleaners, shoe repair, photographic studios, and other similar uses.

Public Work –

- (1) Systems for the production or distribution of electricity;
- (2) Systems for the distribution of natural gas or oil;
- (3) Facilities for the storage, transmission, treatment, distribution, or supply of water;
- (4) Facilities for the collection, treatment, movement, or disposal of sanitary sewage; or
- (5) Telephone or light distribution lines.

That are owned or operated by the Crown or a Municipality.

Ready-to-Move Dwelling (RTM) – a new single detached dwelling built off-site to national building code standards and moved on, and permanently attached to, a foundation meeting national building code standards.

Bylaw No. 02-2022

Recreational Vehicle means a self-propelled or towed vehicle type unit, primarily designed as temporary living quarters for recreational, camping or travel use and which is used solely as a family or personal conveyance and in no way used for a commercial purpose. Without limiting the foregoing, recreational vehicles include:

Bylaw No. 03/16

- i) Travel trailer;
- ii) Cabin trailer;
- iii) Tent trailer'
- iv) Truck camper;
- v) Motor home;
- vi) Park Model RV;
- vii) Fifth-wheel travel trailer

Bylaw No. 02-2022

Shed – an accessory out-building or structure intended to provide shelter for private chattel(s) or storage.

Bylaw No. 05-2022

Sign – Any device, letter, figure, symbol, emblem, or picture, which is affixed to or represented directly or indirectly upon a building, structure or a piece of land and which identifies or advertises any object, product, place, activity, person, organization, or business in such a way as to be visible to the public on any street or thoroughfare.

Site – see definition of “Lot”.

Bylaw No. 02-2022

Street – A public thoroughfare which affords the principal means of access to the abutting property.

Structural Alteration- The construction or reconstruction of supporting elements of a building or other structure.

Yard- Any part of a lot unoccupied and unobstructed by any principal building.

Yard, Front- A yard extending across the full width of a lot between the front lot line and the nearest main wall of the principal building or structure on the lot.

Yard, Rear – A yard extending across the full width of the lot between the rear lot line and the nearest main wall of the principal building or structure on the lot.

Yard, Required- The minimum size of a front, side or rear yard required under this Bylaw.

Yard, Side - A yard extending from the front yard to the rear yard between the side lot line and the nearest wall exclusive of the eaves of the principal building on the lot.

Zoning District – A specifically delineated area of the municipality within which certain uniform requirements and regulations or various combinations thereof govern the use, placement, spacing, and size of land or structure.

SECTION 3 – ADMINISTRATION

3.1 Development Officer

The Clerk of the Resort Village of Aquadeo and such other persons as may be designated by Council from time to time shall be the Development Officers responsible for the administration of this Bylaw.

3.2 Development Permit

3.2.1 Except as provided in Section 3.2.3 no person shall undertake a development or commence a use unless he obtains a development permit. No development permit is valid unless it conforms with the Zoning Bylaw.

3.2.2 An application for a development permit shall be made in Form A which is attached to and forms part of this Bylaw.

3.2.3 A Development Permit is not required for the following provided that all other provisions and regulations of the Bylaw are conformed to:

- (1) The maintenance of a public work;
- (2) The construction of a public work by the Resort Village of Aquadeo;
- (3) The installation of a public work on any street or other public right-of-way;
- (4) Temporary signs;
- (5) Maintenance and repairs that do not include structural alterations;
- (6) Placement of a mobile home in a mobile home court as provided in Section 6.2.3.2(2);
- (7) Accessory buildings less than 10 m² in area;
- (8) Fences.

3.2.4 If the development authorized by a development permit is not commenced within 12 months from the date of its issued, and completed within 24 months of its issue, the permit is deemed to be void, unless an extension of this period shall first have been granted.

3.2.4 a) All permits issued under this section expire:

- Six months from date of issue of work is not commenced within that period.
- If work is suspended for a period of six months, or longer by prior written agreement of the council

Bylaw No. 22/09

3.2.4 b) Where construction is taking place under the authority of a building permit:

- The exterior of the building shall be completed within twelve (12) months of the issuance of the permit.

- The landscaping of the lot shall be completed within two (2) years of the issuance of the permit.
- The lot shall be free of stored building materials and be leveled for proper drainage within two (2) years of the issuance of the building permit.

3.2.5 General Discretionary Use Evaluation Criteria

Bylaw No. 02-2022

In exercising its discretion Council may consider the evaluation criteria identified below, and should determine the extent and nature of the information and analysis required to render a decision:

- (a) **Roadways:** the assessment of capacity of existing roadway infrastructure to accommodate the proposed use.
- (b) **Air Resources:** assess and consider the potential impacts and effects on local air resources.
- (c) **Soil Resources:** assess and consider the potential impacts and effects on local soil resources.
- (d) **Water Resources:** assess and consider the generation of waste resulting from the proposed use, and the capacity of existing water management services.
- (e) **Natural and Heritage Resources:** assess and consider the potential impacts and effects on natural, cultural and heritage resources.
- (f) **Land Use Compatibility:** the anticipated impact(s) of the proposed discretionary use on existing land uses in the area.
- (g) **Suitability and Sustainability:** assess and consider the potential impacts and effects on social, economic, and physical sustainability of the Municipality.
- (h) Compliance with the policies of the Basic Planning Statement with respect to discretionary uses allowable within a designated land use policy area.

3.2.6 Survey Sketch Plan (SSP) and Real Property Surveyor's Report (RPSR)

Bylaw No. 02-2022

- (1) Any proposed permanent development on a lakefront lot, or other lot where potential hazard land (as defined by provincial regulation) may be present, shall be required to submit a SSP prepared by a Saskatchewan Land Surveyor (SLS) at the time of development permit application.
 - (a) Survey Sketch Plans and Real Property Surveyor's Report shall not apply to lands other than those described in (1).
- (2) The SSP shall:

- (a) Provide elevations such that a general overview of the topography of the site can be assessed for suitability and/or as directed in a provincial development standard, as it pertains to potential flooding, slope stability, or other natural hazard. This includes, but is not limited to: proposed foundation elevations, change in elevation throughout a lot or site; placement of fill, the elevation of flood-proofing measures to be employed, etc;
 - (b) Address any other matter specifically identified in a provincial development standard where accurate and surveyed information is required, in the opinion of the Development Officer or as directed by the standard(s), to determine development suitability;
 - (c) Identify the elevation datum that was employed;
 - (d) Show the location of all parcel monuments, parcel boundaries, site dimensions, and site area. In preparation of the survey sketch, the SLS shall stake all monuments for surface reference and provide confirmation of completion. The survey sketch plan may be employed for use as a layout or site plan or to supplement a separate layout or site plan; and
 - (e) Be at the sole cost of the applicant.
- (3) Following foundation construction, and prior to any further building or development, a RPSR shall be required confirming placement of the development as granted in an approved permit, and that minimum flood-proofing requirement(s) or elevation has been achieved, or any other matter specified in a development standard or development permit condition.
 - (4) Any RPSR shall also be at the sole cost of the applicant.
 - (5) Where development permitting is not required in accordance with this bylaw, neither a SSP or RPSR is required; however, the landowner is responsible for adhering to and implementing the development standards which may be on title, and in accordance with any other regulation in this bylaw which pertains to development on hazard lands; the Resort Village retains the right to enforce its Zoning Bylaw in accordance with the Act.
 - (6) Subclause (3) shall not apply to buildings or structures less than 18.6 square metres (200 square feet) in area on a permanent foundation, provided no lands were deemed potentially hazardous upon receipt of the SSP, unless required by a provincial development standard.

- (7) In addition to subclause (6), there is no RPSR requirement for fences, uncovered decks, non-permanent or moveable recreational vehicles and similar items, and approach and driveway construction provided it is not in a hazard land area.

3.3. Decision

- 3.3.1 The decision made on all applications shall be given to the applicant in writing in Form B as attached to and forming part of this Bylaw.
- 3.3.2 Upon completion of the review of an application for a permitted use or form of development, the Development Officer shall:
 - (1) Where the application conforms to all the provisions of this Bylaw, issue a Development Permit; or
 - (2) Where the class of development of use is subject to special regulations, performance standards or development standards specified in this Bylaw, issue a Development Permit which shall specify those regulations or standards to which the development is specially subject; or
 - (3) Where the development officer is unsure of the proper interpretation of a provision, submit the application to Council for a ruling; or
 - (4) Refuse the application where the provisions of this Bylaw are not met, indicating to the applicant the reasons for the refusal.
- 3.3.3 Where the applicant is for a discretionary use or form of development, the Development Officer shall subject the application to Council for review. Upon completion of its review, Council shall pass a resolution instructing the Development Officer to either:
 - (1) Refuse the application and indicate the reasons for the refusal; or
 - (2) Issue a Development Permit incorporating any special standards as set forth in Council's resolution and as outlined in the Bylaw.

3.4 Development Appeals

- 3.4.1 Development Appeals Board – a Development Appeals Board of the Resort Village of Aquadeo is appointed in accordance clause 49(j) and sections 213 - 216 of the Act.
- 3.4.2 Where an application for a permitted use or form of development has been refused, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Resort Village of Aquadeo.
- 3.4.3 Where an application for a discretionary use or form of development has been approved by council with prescribed development standards pursuant to the bylaw and the applicant is of the opinion that the development standards prescribed exceed those necessary to secure the objectives of the Bylaw, the applicant may within 30 days of the date of councils approval, appeal the development standards prescribed within the approval of the

Bylaw No. 05/2018

discretionary use or form of development to the Development Appeals Board of the Resort Village of Aquadeo and from that Board, if necessary, to the Provincial Planning Appeals Board in accordance with the Act.

3.4.4 An application for a development permit shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the development officer and an appeal may be made as provided in Section 3.3.(1) as though the application has been refused at the end of the period specified in that subsection.

3.4.5 In accordance with complimentary policy in the Official Community Plan, where non-conformity exists related to historical development patterns, the Development Appeals Board may be utilized as a means to review and grant legitimacy to said development to facilitate continued use, placement or location of use, or other matters of non-conformity.

Bylaw No. 02-2022

(1) Notwithstanding 3.4.5, the use of Development Appeals Board shall not be employed as an exploitable bypass to the planning and development policy and regulation of Resort Village or other potential corrective measures, and its decisions must be consistent with the provisions in the Act.

3.5 Planning and Development Fees

Council may adopt a separate *Planning and Development Fee Bylaw* in accordance with section 51 of the Act, prescribing a schedule of fees associated with this Bylaw, as well as a description that sets out the rationale for said fees.

Bylaw No. 05/2018

3.6 Offences and Penalties

Shall follow Bylaw 05/15 – A Bylaw to Establish Contravention of Bylaws.

Bylaw No. 04/15

3.7 Non-Conforming Use and Non-Conforming Buildings

Non-conforming uses and non-conforming buildings shall be subject to Sections 88 - 93 inclusive of the Act.

Bylaw No. 05/2018

SECTION 4 – GENERAL REGULATIONS

4.1 Licenses, Permits and Compliance with Other Bylaws and Legislation

Nothing in this Bylaw shall exempt any person from complying with the requirement of any other municipal or provincial regulations and requirement of from obtaining any license, permission, permit, authorization, or approval required by such requirements or regulations.

4.2 Accessory Buildings and Structures

4.2.1 Private garages or carports attached to the principal building or structure shall be considered as part of the principal building or structure and subject to the regulations governing the principal building or structure.

4.2.2 Only one carport, or private attached or detached garage, not exceeding 90 m² (969 ft²) in building footprint area is permitted on a site.

Bylaw No. 05-2022

4.2.3 Notwithstanding 4.2.1 a breezeway corridor connecting a principal residential dwelling to a private garage or carport, not exceeding 1.83 m (6 ft) in width as measured from the exterior walls or supporting framing elements, the private garage or carport shall not be deemed as part of the principal residential dwelling. Breezeway corridors are not permit exempt regardless of size and must adhere to the requirements of *The National Building Code* and any building bylaw of the municipality, and at the discretionary of Council.

Bylaw No. 04/2021

- (1) All breezeway corridors shall comply with the site regulations of the principal residential dwelling.
- (2) All breezeway corridors must be deemed suitable for the site with respect to potential hazard lands, any other regulation in this bylaw, and shall not adversely affect surface drainage through the site or on sites adjacent.

Bylaw No. 02-2022

4.2.4 There shall be a maximum of three (3) sheds or similar accessory out-buildings permitted per site.

Bylaw No. 05-2022

4.2.5 Accessory Sleeping Accommodations and Loft Garages

Bylaw No. 05-2022

- (1) Shall adhere to the requirements of the *National Building Code* with respect to accommodations intended for human habitation.
- (2) Shall not be used for rental, lease, or hire, or other short-term accommodation.
- (3) The kitchen of the principal residential use shall be available to occupants on a 24-hour basis. Any plumbing modification shall require any necessary approval from the appropriate public authority.
- (4) The sleeping or habitation floor area located within shall not exceed 20 m² (215 ft²).

4.3 Required Yards and Open Space

- 4.3.1 Minimum Yards Required – No portion of any yard or other open space required about any principal building or use shall provide any portion of a yard or open space for any other principal building or use.
- 4.3.2 Projections into Yards – Where minimum yards are required in any district, such minimum requirements shall not apply to the following:
- (1) In any front or rear yard, the construction of steps or an open deck or terrace a maximum of 2.4 metres into the required yard.
 - (2) In any yard, the construction of a chimney, sill, cornice, or roof overhang a maximum of 0.6 metres into the required yard.

4.4 Signs

All signs shall be subject to the following requirements.

4.4.1 In Commercial Districts

- (1) No more than two signs are permitted on the premises;
- (2) An additional temporary sign not exceeding 1 m² bearing notice of sale or lease of the property or building relating to a temporary condition affecting the premises is permitted so long as the temporary condition exists;
- (3) No sign shall have a facial area exceeding 3.5 m²;
- (4) Signs may be double faced;
- (5) Illuminated signs shall have a steady light source which is suitably shielded;
- (6) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- (7) Signs shall not project beyond any lot line.

4.4.2 In all Other Districts

- (1) No more than one permanent sign is permitted on the premises;
- (2) An additional temporary sign bearing notice of sale or lease, sale of produce or other information relating to a temporary condition affecting the premises is permitted so long as the temporary condition exists;
- (3) For residential uses, no sign shall have a facial area exceeding 0.4 m²;
- (4) For non-residential uses, no sign shall have a facial area exceeding 1.5 m²;
- (5) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;

(6) Signs shall not project beyond any lot line.

4.5 Municipal Facilities

Municipal offices and facilities of the Resort Village of Aquadeo are permitted in any zone subject to the site regulations for public works in that zone.

4.6 Hazard Lands

- 4.6.1 Notwithstanding any other provision in this bylaw, Council may refuse to issue a development permit for any development on land that is in its opinion hazard land, unless the proponent submits information prepared and endorsed by a certified professional that contains all reasonable site design and development measures necessary to overcome the hazards of the development.
- 4.6.2 If deemed necessary to mitigate hazards to people or property, the recommendations of the certified professional may form the basis of development standards issued in conjunction with a development permit. Failure to adhere to development standards may result in permit revocation or bylaw enforcement.
- 4.6.3 Where prescribed by a provincial development standard or a resulting from the recommendations of a certified professional, to minimize risks to people and property, and ensure the suitability of a development, more restrictive regulations than those prescribed in TABLE 1 may apply.

Bylaw No. 08/2018

Bylaw No. 02-2022

SECTION 5 – ZONING DISTRICTS

5.1 Classification of Zoning Districts

In order to carry out the purpose and provisions of this Bylaw, the municipality is divided into the following Zoning Districts the boundaries of which are shown on the “Zoning District Map”. Such districts may be referred to by the appropriate symbols as hereinafter defined.

Zoning Districts

R1 – Residential
R2 – Residential
~~R3 – Residential~~
C – Commercial
UR – Urban Reserve

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5.2 The District Map

The map bearing the statement “This is the Zoning District Map referred to in Bylaw No. 19/89”, adopted by the Resort Village of Aquadeo signed by the Mayor and the Administrator under the seal of the municipality, shall be known as the “Zoning District Map” and such map is attached to and forms part of this Bylaw.

5.3 Boundaries of Zoning Districts

The boundaries of such districts referred to together with explanatory legend, notation and reference, are shown on the “Zoning District Map”. Unless otherwise shown, the boundaries of such districts are lot lines, centre lines of streets, lanes, road allowances, and the boundaries of the municipality. In unsubdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the maps.

5.4 Zoning Districts

All uses and forms of development within a district shall comply with the regulations contained in the district schedules in Section 6.

SECTION 6 – DISTRICT SCHEDULES

6.1 R1 – Residential District

6.1.1 **Permitted Uses** – The following are permitted uses in the R1 – Residential District:

- (1) Single-detached dwellings, modular homes, RTMs, Park Model Homes (< 10 years from date of manufacture)
- (2) Municipal offices and facilities
- (3) Public parks, playgrounds and sports fields
- (4) Public works excluding offices, shops, warehouses, and storage yards

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6.1.2 **Discretionary Uses** – The following are discretionary uses in the R1 – Residential District:

- (1) Home occupations
- (2) Mobile homes
- (3) Recreational Vehicles
- (4) Breezeway corridors (subject to 4.2.3)
- (5) Move-In Residential Buildings
- (6) Park Model Park Model Homes (> 10 years from date of manufacture)

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Bylaw No. 04/2021

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6.1.3 **Accessory Uses** – Uses and forms of development are permitted (excluding commercial and industrial use) on the same lot as a permitted or a discretionary use where secondary, subordinate and accessory to that permitted or discretionary use.

6.1.4 Regulations

6.1.4.1 Lot Regulations – The regulations in Table 1 shall apply.

6.1.4.2 Accessory Buildings and Structures

- (1) The lot regulations in table 1 shall apply.
- (2) The total footprint area of all accessory buildings and structures within a site shall not exceed 150% of that of the principal building excluding any uncovered deck, or shed 9.29 m² (100 ft²) or under.
- (3) All buildings shall be separated from any other building by at least 1.5 m at the walls, and by 0.5 m between any eaves.
- (4) Pit privies are prohibited.

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- (5) In any required rear yard abutting the banks of Jackfish Lake or abutting a public reserve adjacent to the banks of Jackfish Lake, fences shall not exceed a maximum height of 1 m, and in all other yards, fences shall not exceed a maximum height of 2 m.

6.1.4.3 **Parking**

- (1) A minimum of one parking space for each dwelling shall be provided and maintained on each lot.
- (2) A parking space shall be a minimum of 2.5 metres by 6 metres.
- (3) Parking spaces may be enclosed and may be in tandem.

6.1.4.4 **Recreational Vehicles (RV) on Residential Sites**

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- (1) A maximum of one RV may be stored on any residential site that has a principal residence, and is used from time to time for a period not exceeding thirty (30) consecutive days for the temporary accommodation of non-paying guests.
- (2) Any additional RV's stored or occupied on a temporary basis on a residential site accessory to an existing permanent dwelling, subject to;
 - (a) The RV's shall be for the exclusive use of non-paying guests of the occupant of the principal dwelling located on the same site;
 - (b) Any additional RV's on the same residential site exceeding a stay of seven (7) days shall be charged \$100.00 per week per RV to a maximum of \$600.00 per RV.
 - (c) If the RV's have a sink, shower, or water closet, it must have a self-contained septic holding tank or be connected to a septic system of the permanent dwelling.

6.1.4.5 **Storage**

- (1) No junked vehicle shall be stored on any lot outside an enclosed building.

6.1.4.6 Principal use – only one principal use shall be permitted on a lot.

6.1.5 **Supplementary Regulations, Standards and Criteria**

6.1.5.1 All discretionary uses shall maintain the residential character of the area as much as possible.

6.1.5.2 **Home Occupations**

- (1) Home occupations shall be located in a dwelling unit.
- (2) One business sign or notice is permitted.

- (3) Other than as provided in clause (2), there shall be no exterior display, no exterior storage of materials, and no other variation from the residential character of the building in association with a home occupation.

6.1.5.3 Mobile Homes, modular homes

- (1) All mobile homes, modular homes located in an R1 District shall have a floor area of not less than 40 square meters and shall comply with the applicable Canadian Standards Association standard applicable to the specific use.
- (2) All mobile homes, modular homes shall be connected to a septic pump-out tank approved for permanent cottage use.
- (3) All mobile homes, modular homes shall be securely attached to the ground.
- (4) The regulations in Clause 6.1.4 shall apply.

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6.1.5.4 Park Model Homes

- (1) Park Model Homes aged less than 10 years from date of manufacture shall be a permitted use. Park Model Homes aged 10 years and older from date of manufacture shall be a discretionary use.
- (2) Where discretionary, a Park Model Home the following requirements and evaluation criteria will apply:
 - (a) A proposal for a Park Model Home must demonstrate that the age, condition, and style of its exterior treatment is compatible with the general appearance of buildings in the neighboring area, and/or shall be accompanied with plans showing proposed renovations, improvements, and timeline for completion where proposed.
 - (b) Where applicable, Park Model Homes shall be required to demonstrate compliance with National Building Code or CSA standards, and the Resort Village’s building bylaw prior to placement on site.
 - (c) Photographs showing all sides of the Park Model Home shall be submitted with a development permit application to aid in the demonstration of its current condition.
- (3) Park Model Homes shall be placed on a permanent foundation and the base of the unit enclosed or skirted.

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- (4) Park Model Homes are to be used on a seasonal basis only unless the unit and its utilities have been properly winterized.

6.1.5.4 Move-In Residential Buildings

- (1) A proposal for a Move-In residential building must demonstrate that the age, condition, and style of its exterior treatment is compatible with the general appearance of buildings in the neighboring area, and/or shall be accompanied with plans showing proposed renovations, improvements, and timeline for completion where proposed.
- (2) Move-In residential buildings shall be placed on a permanent foundation and the base of the unit enclosed.
- (3) Move-In residential buildings shall be required to demonstrate compliance with National Building Code and the Resort Village's building bylaw prior to placement on site and will require a pre-move inspection.
 - (d) Photographs showing all sides of the Move-In residential building shall be submitted with a development permit application to aid in the demonstration of its current condition.
- (4) Council will consider the feasibility of moving the building on to site and the potential impacts on municipal infrastructure. In all cases the applicant shall be responsible for any utility movement or relocation, and infrastructure upgrades or damage, resulting from the moving and transport of the structure."

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TABLE 1

(Amended Bylaw No. 02/12, Bylaw No. 03/12, Bylaw No. 03/2021, Bylaw No. 02-2022, Bylaw No. 05-2022)

TABLE 1 – Site and Development Regulations (measurements are in meters and are minimums unless otherwise noted)								
	Use	Area (m²)	Width (m)	Front Yard (m)	Side Yard (m)	Rear Yard (m)	Maximum Coverage (%)⁽²⁾	Floor Area (m²)
R1 District	Single Detached, Mobile & Modular Homes (SW/DW), RTMs, Move-In Residence, and Park Model Homes⁽¹⁾	450	15	1.525	1.22	1.525	60	46.5
	Accessory Buildings to a Dwelling, and all Private Garages	As per principal use		1.525	1.22	1.525	(2)	90 max. ⁽³⁾
	Bunkhouses	As per principal use		1.525	1.22	1.525	(2)	20 max.
R2 District	Mobile Home, Modular Homes Courts⁽¹⁾	2000	15	1.525	1.22	1.525	-	-
	Accessory Building to Mobile Home, Modular Homes Court	As per principal use		1.525	1.22	1.525	-	30 max.
C District	All Commercial and Residential Uses and Buildings	450	30	7.5	1.525	1.525	-	-
UR District	All Agricultural, Residential, and Commercial Uses and Buildings	4 ha.	30	7.5	1.525	1.525	-	-
All Districts	Parks, Playgrounds, Community Centres, Public Works and Utilities, and Facilities of the Municipality	-	-	-	-	-	-	-
Footnotes to TABLE 1:								
(1) All principal residences shall be placed on a permanent foundation as defined in this bylaw								
(2) 60% Combined total of all buildings and structures defined as "Lot (Site) Coverage"; and								
(3) Notwithstanding the definition of "Floor Area", said concept shall be applied to private garages, and the max. floor area applies to private garages only."								

6.2 R2 – Residential District

6.2.1 **Permitted Uses** – The following are permitted uses in the R2 – Residential District:

- (1) Mobile home, modular home courts
- (2) Public parks
- (3) Public works excluding offices, shops, warehouses, and storage yards

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6.2.2 **Accessory Uses** – Uses and forms of development are permitted (excluding commercial and industrial use) on the same lot as a permitted or a discretionary use where secondary, subordinate and accessory to that permitted or discretionary use.

6.2.3 Regulations

6.2.3.1 **Lot Regulations** – The regulations in Table 1 shall apply.

6.2.3.2 Mobile Home, Modular Homes Courts

- (1) An applicant for a development permit to expand or establish a mobile home, modular home court shall submit a copy of the documentation with a site location plan submitted to and approval thereof from the Provincial Department of Health.
- (2) The operator of a mobile home, modular homes court shall submit the site location plan, and a list of all Recreational Vehicles, their serial numbers, the names and addresses of their owners, and the assigned site, to the development officer. The operator shall notify the development officer of any changes to this list at the end of each month. Where this provision is complied with, the location of a Recreational Vehicle on an existing site shown on the site location plan mentioned in clause 1, shall not require a development permit.

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6.2.3.3 Accessory Buildings and Structures

- (1) The lot regulations in table 1 shall apply.
- (2) The total area of all accessory buildings shall not exceed the area of the principal building.
- (3) All Buildings shall be separated from any other building by at least 1.5 m at the walls, and by 0.5 m between any eaves.
- (4) Pit privies are prohibited.
- (5) In any required yard fences shall not exceed a maximum height of 2 m.

6.2.3.4 Parking

- (1) A minimum of one parking space for each dwelling shall be provided and maintained on each lot.
- (2) A parking space shall be a minimum of 2.5 metres by 6 metres.
- (3) Parking spaces may be enclosed and may be in tandem.

6.2A R3 – Residential District

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6.3 C – Commercial District

6.3.1 Permitted Uses – the following are permitted uses in the C – Commercial District:

- (1) Cafes and restaurants
- (2) Commercial recreation establishments
- (3) Hotels and motels
- (4) Offices and banks
- (5) Personal service shops
- (6) Retail stores
- (7) Service stations and gas bars
- (8) Seasonal campgrounds
- (9) Golf courses
- (10) Parks, playgrounds, sports fields, and tennis courts
- (11) Municipal offices and facilities
- (12) Public works

6.3.2 Accessory Uses – Uses and forms of development are permitted on the same lot as a permitted use where secondary, subordinate and accessory to that permitted use.

6.3.3 Discretionary Uses – The following are discretionary uses in the C – Commercial District:

- (1) Construction trades

6.3.4 Regulations

6.3.4.1 Lot Regulations – The regulations in Table 1 shall apply.

6.3.4.2 Parking

- (1) A minimum of one parking space shall be provided and maintained on each lot for each 30 square meters of building floor area used for a commercial purpose.
- (2) A parking space shall be a minimum of 3 metres by 6 metres.
- (3) Parking spaces shall have direct and convenient access to a street.

6.3.4.3 Service Stations and Gas Bars

- (1) Fuel pumps and other accessory equipment for the delivery of motor fuels shall be located at least 6 m from any lot line.

6.3.5 Discretionary Use Regulations

6.3.5.1 Construction Trades

- (1) Construction trades shall be conducted entirely within an enclosed building.
- (2) All materials used in conjunction with construction trades shall be stored within an enclosed building.

6.3.5.2 The regulations in Clause 6.3.4 shall apply.

6.4 UR – Urban Reserve District

6.4.1 **Permitted Uses** – The following are permitted uses in the UR – Urban Reserve District:

- (1) Recreation Trails
- (2) Municipal offices and facilities
- (3) Docks, boat launch facilities, and marinas
- (4) Parks and playgrounds, day use picnic areas, sports fields, and tennis courts
- (5) Public works

6.4.2 **Discretionary Uses** – The following are discretionary uses in the UR – Urban Reserve District:

- (1) Sewage lagoons
- (2) Sanitary landfills
- (3) Golf courses
- (4) Seasonal campgrounds
- (5) Crop farms not including the raising of livestock

6.4.3 **Accessory Uses** – Uses and forms of development are permitted on the same lot as a permitted use where secondary, subordinate and accessory to that permitted use. Accessory dwellings are only permitted where used by the operator of a crop farm.

6.4.4 **Regulations**

6.4.4.1 **Lot Regulations** – The regulations in Table 1 shall apply.

SECTION 7 – COMING INTO FORCE

7.1 Coming into Force

APPROVED OCTOBER 24, 1989